

REGULAR COUNCIL MEETING
June 1, 2015

Members Present: Douglas Baker, Mayor
Donna Fletcher, Deputy Mayor
Samuel Lyons
James Marshall
Ryan Rudegear
Garnet Wood

Members Excused: Jennifer Morris

In Attendance: Tracy Jamieson, City Manager
Brian Spaid, Esq., City Solicitor
Darla Hawke, Recording Secretary
Roxanne Spaid, Shade Tree Commission
Susan Byers, Shade Tree Commission
Ty Ryen, Bureau of Forestry
Suzanne Hartzel, 1134 Liberty Street
Michael Dill, 1252 Liberty Street
Russ Campbell, 1235 Chestnut Street
David R Lord, 407 Forest Lane
Sheila Boughner, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7:00 PM.

ADOPTION OF AGENDA - Resolution No. 90

Mrs. Fletcher moved to approve the agenda, as presented. Mr. Lyons seconded the motion, which passed unanimously.

APPROVAL OF MINUTES - Resolution No. 91

Mrs. Fletcher moved to approve the minutes of the regular meeting of May 4, 2015, as presented. Mr. Wood seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 92

Mr. Wood moved to pay the bills as presented. Mr. Rudegear seconded the motion, which passed unanimously.

CITIZENS' INQUIRIES - none.

CERTIFICATE OF APPROPRIATENESS

Resolution No. 93 - Mrs. Fletcher moved and Mr. Lyons seconded a motion to issue Certificates of Appropriateness for the following:

- fence at 1445 Elk Street, as presented;
- porch decking at 1218 Elk Street, as presented;
- signs at 1243 Liberty Street, as presented;
- signs at 1239 Liberty Street, as presented;
- sign at 1134 Liberty Street, as presented;
- signs at 1252 Liberty Street, as presented.

Motion passed unanimously.

Resolution No. 94 - Mrs. Fletcher moved and Mr. Lyons seconded a motion to deny a Certificate of Appropriateness for a color change at 1234 Liberty Street, due to lack of information. Motion passed unanimously.

LIQUID FUELS SELECTION - Resolution No. 95

Council was advised that, due to the harsh Winter, there is only about \$40,000 in Liquid Fuels funds for street paving. Therefore, it was Mr. Ruditis' recommendation to repair a 300' x 24' section on Evergreen Drive at a cost of \$31,137 and to resurface the alley next to the Franklin Public Library at a cost of \$2,900, for a total of \$34,037. This will leave approximately \$6,000 for any unforeseen costs. Mr. Marshall moved and Mr. Lyons seconded a motion to resurface a 300' x 24' section on Evergreen Drive and Vogan Alley, next to the Franklin Public Library, for a total cost of \$34,037, leaving approximately \$6,000 for unseen costs. Motion passed unanimously.

CONDITIONAL USE HEARING REQUEST - Resolution No. 96

Mrs. Jamieson explained that Dan Weiland has requested a Conditional Use Hearing to consider his proposal for a Bed & Breakfast in his home at One Park Way in Miller Park, which will require a public hearing. Mr. Rudegear then moved to hold a Public Hearing at 7 PM on July 6, prior to the next regular Council Meeting. This will afford the Franklin Planning & Zoning Commission time to submit a recommendation on the request. Mr. Marshall seconded the motion, which passed unanimously.

PROCLAMATION PRESENTATION TO SHADE TREE COMMISSION

Mayor Baker read a proclamation declaring April 30, 2015 as Arbor Day in the City of Franklin.

PARADE & PARK REQUESTS

Resolution No. 97 - Mrs. Fletcher moved and Mr. Lyons seconded a motion to approve the request from Child Development Center to use the 11th Street Playground and possibly Atlantic Avenue Playground, from June 8 through August 28, 2015, for their Summer Food Program. Motion passed unanimously.

Resolution No. 98 - Mr. Marshall moved and Mr. Rudegear seconded a motion to approve the request from First Presbyterian Church to use West Park Street, between Elk and Otter Streets, on July 18, 2015 for their annual Street Carnival. Motion passed unanimously.

REPORTS**Manager**

- **Resolution No. 99** - Mrs. Jamieson informed the Council that the agreement with PennDOT for the Multimodal Transportation Fund grant for improvements to the 13th & Liberty Street corners and the mid-1200 block crossing of Liberty Street has been received and a resolution will need to be adopted. Mr. Marshall moved and Mr. Wood seconded a motion to adopt a Resolution for a Multimodal Transportation Fund grant, in the amount of \$100,000, from the Pennsylvania Department of Transportation (PennDOT) to carry out the project described in the Grant Street Application. Motion passed unanimously.
- **Resolution No. 100** - Reported Sandycreek Township was requesting sewer fees relief for water leaks at Mt. Carmel Church, which is vacant, and VisionQuest, due to freezing pipes and water leaks over the winter. They have paid for the water, but since the water never went through the sewer system, the Township has requested a deduction of charges. The request is coming with the recommendation of the General Authority to approve the waiver of the sewer fees. Mr. Rudegear moved to approve the waiver of sewer fees for a total of \$336 at Mt. Carmel Church and \$423.47 at VisionQuest for March and April. Mr. Lyons seconded the motion, which passed unanimously.
- Reported the installation of a 120'x3' section of Extraturf (a special mat) along the interior park sidewalk near Elk & West Parks Streets, a high foot traffic area. This was recommended by Jeff Fowler, of the Cooperative Extension, with the Franklin Gardeners' Association donating the bulk of the monies needed. It was requested a letter of thanks be sent to the Association.
- Reported the City has received word that the 2014 CDBG contract was approved, however, no contract has yet been received. As a result, she is not sure if work on the Myrtle Street Project can begin until next year, although she hopes to have the project bid out before then.
- Advised that she has learned the 2015 CDBG allocations to the State are 5% below last year's allocation. The State is reviewing its options since this amount forces our

allocation to be below \$300,000, which is set as the lowest amount by the State. One option is to group three (3) years worth into one contract, thereby only receiving funding once every three years.

- Advised that Fire Chief Wetzel put 35 of the old air cylinders out for bid on Municibid with minimum bids. No bids were received. He is going to re-bid them with no minimum and see if they sell.
- Will need an executive session to discuss personnel, negotiations, and litigation.

Solicitor

- **Resolution No. 101** - Reported that Oil City had passed the Venango County D.U.I. Task Force Municipal Agreement and asked that City Council do the same. Mr. Marshall so moved and Mr. Rudegear seconded the motion, which passed 5-0, with Mayor Baker abstaining due to monetary reasons.
- Reported that he is waiting for a response back from Jean Pugh, of the PA Municipal League, concerning his request of municipalities having "resident only" parking. Mayor Baker and Mr. Rudegear will discuss the matter with her at the League of Cities Conference next month.
- On behalf of the Franklin School Board, thanked the Council for its approval of the request from Child Development Center to use 11th Street Playground for their Summer Food Program. He advised many of the teachers hear from children who do not want school to end because they do not get to eat breakfast or lunch in the summer otherwise.

Mayor • Appointments - none.

Mayor's Report

- Discussed the Council's participation in the upcoming LibertyFest parade.

COUNCIL REPORTS

Mr. Marshall

- Noted that a special General Authority meeting has been called to discuss post trial motions, by some of its members, for 7 PM, tomorrow, May 28. It had been his understanding that the Authority and the City had agreed to work together. Mr. Marshall noted that the monies for City legal fees is almost depleted and should the Authority continue to press further court action, sewer rates and 2016 real estate taxes might need to be raised to cover the costs. He advised that anyone who lives in the City, owns property in the City, or pays water/sewer bills, attend the meeting to express their feelings on the matter.

- Noted that, in addition to Mrs. Jamieson being named City Manager, she has continued to hold the position of Community Development Director while dealing with the General Authority lawsuit and the necessity of moving into the City. On behalf of the Council, her efforts are noted and appreciated.

Mrs. Fletcher

- Advised the public that, prior to approving the bills at the meetings, Council carefully peruses the bill list and, should they have questions, contacts the Finance Department.
- Noted the City spent \$2,100 on brooms for the street sweeper for Spring Clean-up this year. It was noted that this was part of the Long Term Control Plan for the City and was a trade-off with Penn DOT for line painting.
- Asked residents to maintain their properties, noting high grass is out of control in the City making it hard for the Code Enforcement Officer to keep up.
- Also encouraged City residents to attend the General Authority meeting tomorrow night.

Mr. Lyons

- Congratulated Abby Jones on winning the State Championship.
- Asked if the Ball Leagues request to add a set of steps at Miller-Sibley had been approved. Mrs. Jamieson advised that it had been and Mr. Bigley would be notified.

EXECUTIVE SESSION - Resolution No. 102

Mayor Baker moved to enter into executive session at 7:42 PM to discuss personnel, litigation and negotiations. Mr. Marshall seconded the motion, which passed unanimously. The executive session ended at 8:28 PM.

ANY OTHER BUSINESS

Resolution No. 103 - Upon the recommendation of Mrs. Jamieson, Mr. Rudegear moved and Mrs. Fletcher seconded a motion to appoint Police Chief Mark London as Deputy City Manager. Motion passed unanimously.

Resolution No. 104 - Mr. Rudegear moved and Mr. Lyons seconded a motion to move forward with the acceptance of a vacant 2-story house at 1424 Otter Street, providing Wells Fargo & Company, which is donating the building to the City, provides all the funding needed for demolition and closing costs. Motion passed unanimously.

Resolution No. 105 - Explaining that nearly \$25,000 set aside for demolition in the 2012 Community Development Block Grant program cannot be spent in time, Mrs. Jamieson suggested a public hearing be held prior to the July 6 Council meeting to discuss how the funds should be used. Mr. Rudegear so moved. Mrs. Fletcher seconded the motion, which passed unanimously.

Resolution No. 106 - Mr. Rudegear moved to direct the City's Litigation Counsel to file an appropriate response to the plaintiffs' post-trial motion for relief if it is not rescinded by both the Authority and the Borough. Mr. Lyons seconded the motion, which passed unanimously.

ADJOURNMENT - Resolution No. 107

There being no further business to come before the Council at this time, Mr. Rudegear moved to adjourn the meeting at 8:34 PM. Mr. Lyons seconded the motion which passed unanimously.

Respectfully submitted,

Darla Hawke, Recording Secretary